

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ASHLEY COX, *et al.*,

Plaintiffs,

v.

Case No. 3:21-cv-253-HEH

ELLEN MARIE HESS, in her official capacity as Commissioner of the Virginia Employment Commission,

Defendant.

JOINT MOTION FOR ENTRY OF SETTLEMENT ORDER
AND REQUEST TO STAY THIS ACTION PENDING SETTLEMENT

Plaintiffs Ashley Cox, Emily Dimond, Penny Williams, Amber Dimmerling, and Lenita Gibson, on behalf of themselves and all others similarly situated (collectively, the “Plaintiffs”), and Defendant Ellen Marie Hess, in her official capacity as Commissioner of the Virginia Employment Commission (the “Commissioner” or “Defendant”), by counsel, respectfully move this Court for entry of the enclosed Settlement Order pursuant to judicial mediation (the “Settlement Order”) and, in connection with the settlement reached by the parties, enter an order staying all further proceedings in this action pending resolution of matters addressed in the Settlement Order. In support of their joint Motion, Plaintiffs and Defendant state as follows:

1. As the Court is aware, the Parties have engaged in fruitful settlement discussions, including a joint meeting for an in-person judicial mediation on May 17, 2021, which have culminated in a settlement that is memorialized in the enclosed Settlement Order.

2. In connection with the settlement, the Parties move this Court to enter an order staying this action, including the suspension of all proceedings and filing deadlines in the case,

pending resolution of matters addressed in the Settlement Order and periodic joint status reports to be filed with the Court by the Parties.

3. The entry of the enclosed Settlement Order is necessary to memorialize the terms of the settlement reached by the Parties.

4. Pursuant to Local Civil Rule 7(J), Plaintiffs and Defendant further request disposition of this Motion without a hearing.

5. This Joint Motion is unopposed. A copy of the proposed Settlement Order, which has been fully endorsed by the parties, is being filed contemporaneously herewith.

WHEREFORE, Plaintiffs and Defendant respectfully request that the Court: (1) enter the proposed Settlement Order and (2) enter an order staying this action pending resolution of the matters addressed in the Settlement Order.

Date: May 25, 2021

Respectfully submitted,

ELLEN MARIE HESS, in her official capacity
as Commissioner of the Virginia Employment
Commission

By: /s/
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ASHLEY COX, EMILY DIMOND, PENNY
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LENITA GIBSON, on behalf of themselves and all
others similarly situated

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of May, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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